

REMARKS/ARGUMENTS

All claims stand rejected for double-patenting over two patents in the family tree of the present application: U.S. Patent No. 5,926,509 and U.S. Patent No. 6,377,629.

With respect to the '629 patent rejection, Applicant has today filed a terminal disclaimer in order to remove the rejection.

With respect to the '509 patent rejection, Applicant respectfully traverses. The '509 patent claims recite a transmission cable including a plurality of twisted pair communication lines that carrying video signals shaped or modified by certain recited circuitry. Independent claim 1 of the '509 patent indicates that "a discrete signal delay is effected by the discrete twist rate of one of said twisted pair communications lines" and independent claim 16 indicates that "said communications lines provid[e] a discrete signal delay as a function of twist rate of said communications lines." Neither claim recites or directs the reader to a switch or transmission interface that selectively applies different signals onto different ones of the twisted pairs based on the different twist rates of the twisted pairs. Indeed, there is no switching or selectivity function in the '509 patent claims that allows the system to select or deselect signals for application to different pairs based on their twist rates.

In contrast, the present claims *do* recite such a switch or selective application of signals. Independent claim 14, for example, recites "a cable having a plurality of twisted pairs, at least two of said pairs having different relative twist rates" and "a transmission interface, coupled to the cable, to receive the plurality of analog components and selectively couple said plurality of analog components to be carried on selected ones of said plurality of twisted pairs... the interface selectively coupling said plurality of analog components on said plurality of twisted pairs based on said different relative twist rates..." While the '509 patent recognizes the existence of differences in twist rates and the application of signals onto pairs with different twist rates, it does not recite a transmission interface that selectively applies the plurality of analog components to the differently-twisted cables based on those different relative twist rates. Claim 14 is thus patentably distinct from the '509 patent.

The present independent claim 33 is similar to claim 14 in that respect. It recites “a first switch coupled to the twisted pair communication lines to apply said video component information to a selected one of said twisted pair communication lines.”

There is no such “switch” in the ‘509 patent claims. The only switch recited in the ‘509 patent claims is found in dependent claims 7 and 11. The switch in claim 7 of the ‘509 inserts delays by inserting lines in series—it does not switch signals onto different ones of the twisted pairs based on their twist rates. The switch in claim 13 of the ‘509 patent is for interrupting a path—not for switching signals onto different ones of the twisted pairs based on their twist rates. No other switch is recited in the ‘509 patent claims. Perhaps more importantly, claim 10 of the ‘509 patent recites directly assigning the Red and Green signals to pairs with certain-defined twist rates; conspicuously missing from that claim 10 is any switching function, selectivity function, or indication that any other assignments might be advantageously “selectable.”

The present independent claim 44 is similar to claim 33 in that it recites “a first switch coupled to a proximal end of said twisted pair communication lines to apply corresponding ones of said video information signals identifying said red, green, and blue components to selected ones of said twisted pair communication lines based on said variable inherent propagation delay rates.” It is thus distinguishable from the ‘509 patent claims for the same reasons discussed above with respect to the switch in claim 33.

Finally, the present independent claim 61 recites “ranking the plurality of twisted pairs according to their different relative twist rates” and “selectively coupling based on said different relative twist rates said plurality of analog components to selected ones of said plurality of twisted pairs.” For the same reasons described above with respect to claim 14, claim 61 recites patentably distinct “selective coupling” of the pairs to the signals. Also, the ‘509 patent recognizes differences in twist rates, but does not suggest or state that they are to be “ranked” as claim 61 does.

Having addressed the patentable differences between the ‘509 patent claims and the present claims, and having terminally disclaimed the present application over the ‘629 patent, Applicant respectfully submits that each of the double patenting rejections has

been overcome. The application should be in condition for allowance and notice to that effect is respectfully solicited.

CUSTOMER NUMBER

42624

Davidson Berquist Jackson & Gowdey LLP
4300 Wilson Blvd., 7th Floor,
Arlington Virginia 22203
Main: (703) 894-6400 • FAX: (703) 894-6430

Respectfully submitted,

By: _____



J. Scott Davidson
Registration No.: 33,489